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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 CHRISTOPHER ROSS WESTFALL,

7 Plaintiff,

8 v.

9 STATE OF WASHINGTON,

10 Defendants.

Case No. C19-5818-RJB-TLF

ORDER

11 On September 3, 2019, petitioner Christopher Ross Westfall, a pre-trial detainee housed  
12 at Lewis County Jail, initiated this action challenging his pre-trial detention under 28 U.S.C. §  
13 2241. Dkt. 1. On October 22, 2019, the Court screened the petition and declined to direct  
14 respondent to file a response to the petition. *See* Dkt. 13. The Court directed petitioner to file a  
15 response to the order or an amended pleading by November 22, 2019. *Id.*

16 Petitioner has filed a Motion for Appointment of Counsel, a Motion to Stay Proceedings,  
17 and a Motion for Expeditious Ruling on Motion to Stay Proceedings. Dkt. 10, 11, 12. In the  
18 Motions, petitioner requests the Court appoint counsel and stay the underlying state proceedings  
19 while this case is pending. Dkt. 10, 11. Petitioner also requests the Court expedite the time for  
20 consideration of the Motion to Stay Proceedings. Dkt. 12.

21 The Court declined to direct respondent to respond to the petition because it appears the  
22 petition is unexhausted and that it would be inappropriate for review in federal Court under the  
23 *Younger v. Harris*, 401 U.S. 37 (1971) abstention doctrine. Dkt. 13. As the Court has declined to  
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1 serve the petition, and petitioner has not responded to the Court's order, the Court declines to  
2 appoint counsel or consider intervening in the underlying state case at this time.

3 Therefore, the Motion for Appointment of Counsel (Dkt. 10) and the Motion to Stay  
4 Proceedings (Dkt. 11) are denied without prejudice. As the Court has ruled on the Motion to Stay  
5 Proceedings, the Motion for Expeditious Ruling on Motion to Stay Proceedings (Dkt. 12) is  
6 denied as moot.

7 Dated this 16th day of December, 2019.

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11 Theresa L. Fricke  
12 United States Magistrate Judge  
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